

EXHIBIT “A”

2019000405
PLUD: unk.

BLUME, FORTE, FRIED,
ZERRES & MOLINARI
A Professional Corporation
One Main Street
Chatham, New Jersey 07928
(973) 635-5400
Attorneys for Plaintiffs

DAVID FERNANDEZ

Plaintiff,

vs.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: ESSEX COUNTY
DOCKET NO. ESX-L-6693-20

**ALLEY E. DONALD III, SMITH
TRANSPORT, INC., JOHN DOES 1-10 and
ABC CORP. 1-10** (a series of fictitious names
describing other employees/drivers,
operators/owners, lessors/lessees, agents,
employers or persons/entities who benefitted
from the operation of defendants' tractor trailer
at the time of the within accident and those who
continuing investigation shall reveal).

Civil Action

SUMMONS

Defendants .

FROM THE STATE OF NEW JERSEY, to the Defendant named above:

SMITH TRANSPORT, INC.

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The Complaint attached to this Summons states the basis for this lawsuit. If you dispute this Complaint, you or your attorney must file a written Answer or motion and proof of service with the Deputy Clerk of the Superior Court in the County listed above within thirty-five (35) days from the date you received this Summons, not counting the date you received it. (The address of each Deputy Clerk of the Superior Court is provided.) If the Complaint is one in foreclosure, then you must file your written Answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, CN-971, Trenton, New Jersey 08625. A filing fee* payable to the Clerk of the Superior Court and a completed Case Information Statement (available from the Deputy Clerk of the Superior Court) must accompany your Answer or motion when it is filed. You must also send a copy of your Answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A

telephone call will not protect your rights; you must file and serve a written Answer or motion (with fee and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written Answer or motion within thirty-five (35) days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live. A list of these offices is provided. If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A list of these numbers is also provided.

/s/ MICHELLE M. SMITH

MICHELLE M. SMITH, Clerk Superior Court

DATED: October 21, 2020

Name of defendant to be served:	SMITH TRANSPORT, INC.
Address of the Defendant to be Served:	153 Smith Transport Road Roaring Springs, PA 16673

*\$105.00 FOR CHANCERY DIVISION CASES OR \$110.00 FOR LAW DIVISION CASES.

ESSEX COUNTY - CIVIL DIVISION
SUPERIOR COURT OF NJ
465 MARTIN LUTHER KING JR BLVD
NEWARK NJ 07102

TRACK ASSIGNMENT NOTICE

COURT TELEPHONE NO. (973) 776-9300
COURT HOURS 8:30 AM - 4:30 PM

DATE: OCTOBER 07, 2020
RE: FERNANDEZ DAVID VS DONALD, III ALLEY
DOCKET: ESX L -006693 20

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 2.

DISCOVERY IS 300 DAYS AND RUNS FROM THE FIRST ANSWER OR 90 DAYS
FROM SERVICE ON THE FIRST DEFENDANT, WHICHEVER COMES FIRST.

THE PRETRIAL JUDGE ASSIGNED IS: HON KEITH E. LYNOTT

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 002
AT: (973) 776-9300.

IF YOU BELIEVE THAT THE TRACK IS INAPPROPRIATE YOU MUST FILE A
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR PLEADING.
PLAINTIFF MUST SERVE COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE
WITH R.4:5A-2.

ATTENTION:

ATT: KENNETH W. ELWOOD
BLUME FORTE FRIED ZERRES & MOL
ONE MAIN ST
CHATHAM TWP NJ 07928

ECOURTS

BLUME, FORTE, FRIED, ZERRES & MOLINARI
A Professional Corporation
One Main Street
Chatham, New Jersey 07928
(973) 635-5400
Attorneys for Plaintiff
ATTORNEY ID: 036331984

DAVID FERNANDEZ

Plaintiff,

vs.

ALLEY E. DONALD III, SMITH TRANSPORT, INC., JOHN DOES 1-10 and ABC CORP. 1-10 (a series of fictitious names describing other employees/drivers, operators/owners, lessors/lessees, agents, employers or persons/entities who benefitted from the operation of defendants' tractor trailer at the time of the within accident and those who continuing investigation shall reveal).

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - ESSEX COUNTY
DOCKET NO. ESX-L-

Civil Action

**COMPLAINT, JURY DEMAND,
DESIGNATION OF TRIAL COUNSEL,
DEMAND FOR INTERROGATORIES,
REJECTION OF ANY NOTICES OF
ALLOCATION AND CERTIFICATION**

Plaintiff, DAVID FERNANDEZ, residing at 24 Beverly Court, Belleville, New Jersey,
by way of complaint says:

FIRST COUNT

1. On or about December 19, 2018, the plaintiff, **DAVID FERNANDEZ**, was the operator of a motor vehicle which was traveling Westbound on Route 3 in Secaucus, New Jersey.

2. At said time and place, the defendants, **ALLEY E. DONALD III, SMITH TRANSPORT, INC., JOHN DOES 1-10 and ABC CORP. 1-10** (a series of fictitious names describing other employees/drivers, operators/owners, lessors/lessees, agents, employers or persons/entities who benefitted from the operation of defendants' tractor trailer at the time of the within accident and those who continuing investigation shall reveal) were the owners/operators and/or lessees of their motor vehicles which were traveling westbound on Route 3 in Secaucus, and struck the Plaintiff from behind.

3. The defendants, **ALLEY E. DONALD III, SMITH TRANSPORT, INC., JOHN DOES 1-10 and ABC CORP. 1-10** (a series of fictitious names describing other employees/drivers, operators/owners, lessors/lessees, agents, employers or persons/entities who benefitted from the operation of defendants' tractor trailer at the time of the within accident and those who continuing investigation shall reveal) controlled, maintained and/or operated their motor vehicles in a careless, negligent and reckless manner and caused same to collide with plaintiff's vehicle.

4. As a direct and proximate result of the aforesaid carelessness, negligence and recklessness of the defendants, **ALLEY E. DONALD III, SMITH TRANSPORT, INC., JOHN DOES 1-10 and ABC CORP. 1-10** (a series of fictitious names describing other employees/drivers, operators/owners, lessors/lessees, agents, employers or persons/entities who benefitted from the operation of defendants' tractor trailer at the time of the within accident and those who continuing investigation shall reveal), the plaintiff, **DAVID FERNANDEZ**, was violently tossed about, sustained injuries causing permanent disability, permanent significant disfigurement, permanent loss of bodily function, lost time from work and suffer an impairment in earning capacity, has incurred or in the future will incur expenses for the treatment of said injuries in excess of the applicable threshold, has been disabled and will in the future be disabled

and not able to perform his usual functions, has been caused and in the future will be caused great pain and suffering, has been deprived and in the future will be deprived of her right to the enjoyment of life.

WHEREFORE, plaintiff, **DAVID FERNANDEZ**, demands judgment against the defendants, together with interest and costs of suit.

DEMAND FOR TRIAL BY JURY

Plaintiff hereby demands a trial by jury as to all issues involved herein.

DESIGNATION OF TRIAL COUNSEL

Pursuant to R.4:25-4, **Kenneth W. Elwood, Esq.**, has been designated as trial counsel in the above matter.

DEMAND FOR INTERROGATORIES

Plaintiff demands that defendants answer Form C and Form C(1) interrogatories (and the supplemental interrogatories that will be served) within the time prescribed by law.

REJECTION OF ANY NOTICES OF ALLOCATION

Plaintiff rejects any Notice of Allocation asserted by any defendant, whether made pursuant to R. 4:7-5 or otherwise. Plaintiff insists that the details upon which any claim of allocation is based be provided to plaintiff in a timely manner in discovery as is required by Young v. Latta, 123 N.J. 584 (1991).

DEMAND FOR INSURANCE COVERAGE

In accordance with R. 4:10-2, defendants are demanded to provide a complete copy of their applicable liability insurance policies including any excess or umbrella policies with declaration sheets within thirty (30) days of service of this Complaint.

CERTIFICATION

I hereby certify that this matter is not the subject of any other action pending in any Court or a pending Arbitration proceeding, nor is any other action or Arbitration proceeding contemplated. All parties known to plaintiff at this time who should have been joined in this action, have been joined.

BLUME, FORTE, FRIED,
ZERRES & MOLINARI, P.C.
Attorneys for Plaintiff

By Kenneth W. Elwood
Kenneth W. Elwood, Esq.

DATED: October 6, 2020

Civil Case Information Statement

Case Details: ESSEX | Civil Part Docket# L-006693-20

Case Caption: FERNANDEZ DAVID VS DONALD, III
ALLEY

Case Initiation Date: 10/07/2020

Attorney Name: KENNETH WILLIAM ELWOOD

Firm Name: BLUME FORTE FRIED ZERRES & MOLINARI

Address: ONE MAIN ST

CHATHAM TWP NJ 07928

Phone: 9736355400

Name of Party: PLAINTIFF : Fernandez, David

Name of Defendant's Primary Insurance Company
(if known): GALLAGHER BASSETT

Case Type: AUTO NEGLIGENCE - PERSONAL INJURY (NON-
VERBAL THRESHOLD)

Document Type: Complaint with Jury Demand

Jury Demand: YES - 6 JURORS

Is this a professional malpractice case? NO

Related cases pending: NO

If yes, list docket numbers:

**Do you anticipate adding any parties (arising out of same
transaction or occurrence)?** NO

Are sexual abuse claims alleged by: David Fernandez? NO

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

Do parties have a current, past, or recurrent relationship? NO

If yes, is that relationship:

Does the statute governing this case provide for payment of fees by the losing party? NO

**Use this space to alert the court to any special case characteristics that may warrant individual
management or accelerated disposition:**

Do you or your client need any disability accommodations? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? NO

If yes, for what language:

Please check off each applicable category: Putative Class Action? NO **Title 59?** NO **Consumer Fraud?** NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with *Rule* 1:38-7(b)

10/07/2020

Dated

/s/ KENNETH WILLIAM ELWOOD

Signed

NJ SUPERIOR COURT LAWYER REFERRAL AND LEGAL SERVICE LIST**ATLANTIC COUNTY:**

Deputy Clerk, Superior Court
Civil Division, Direct Filing
1201 Bacharach Blvd., 1st Fl.
Atlantic City, NJ 08401
LAWYER REFERRAL
(609) 345-3444
LEGAL SERVICES
(609) 348-4200

ESSEX COUNTY:

Deputy Clerk, Superior Court
Civil Customer Service
Hall of Records, Room 201
465 Dr. Martin Luther King Jr.
Blvd.
Newark, NJ 07102
LAWYER REFERRAL
(973) 622-6204
LEGAL SERVICES
(973) 624-4500

MONMOUTH COUNTY:

Deputy Clerk, Superior Court
Court House
P. O. Box 1269
Freehold, NJ 07728-1269
LAWYER REFERRAL
(732) 431-5544
LEGAL SERVICES
(732) 866-0020

SUSSEX COUNTY:

Deputy Clerk, Superior Court
Sussex County Judicial
Center
43-47 High Street
Newton, NJ 07860
LAWYER REFERRAL
(973) 267-5882
LEGAL SERVICES
(973) 383-7400

BERGEN COUNTY:

Deputy Clerk, Superior Court
Civil Division, Room 115
Justice Center, 10 Main St.
Hackensack, NJ 07601
LAWYER REFERRAL
(201) 488-0044
LEGAL SERVICES
(201) 487-2166

GLOUCESTER COUNTY:

Deputy Clerk, Superior Court
Civil Case Management Office,
Attn: Intake, First Fl., Court
House
1 North Broad Street
Woodbury, NJ 08096
LAWYER REFERRAL
(856) 848-4589
LEGAL SERVICES
(856) 848-5360

MORRIS COUNTY:

Morris County Courthouse
Civil Division
Washington & Court Streets
P. O. Box 910
Morristown, NJ 07963-0910
LAWYER REFERRAL
(973) 267-5882
LEGAL SERVICES
(973) 285-6911

UNION COUNTY:

Deputy Clerk, Superior Court
1st Floor, Court House
2 Broad Street
Elizabeth, NJ 07207-
6073
LAWYER REFERRAL
(908) 353-4715
LEGAL SERVICES
(908) 354-4340

BURLINGTON COUNTY:

Deputy Clerk, Superior Court
Central Processing Office
Attn: Judicial Intake
First Fl., Courts Facility
49 Rancocas Road
Mt. Holly, NJ 08060
LAWYER REFERRAL
(609) 261-4862
LEGAL SERVICES
(609) 261-1088

HUDSON COUNTY:

Deputy Clerk, Superior Court
Civil Records Dept.
Brennan Court House, 1st Floor
583 Newark Avenue
Jersey City, NJ 07306
LAWYER REFERRAL
(201) 798-2727
LEGAL SERVICES
(201) 792-6363

OCEAN COUNTY:

Deputy Clerk, Superior Court
Court House, Room 121
118 Washington Street
P.O. Box 2191
Toms River, NJ 08754-2191
LAWYER REFERRAL
(732) 240-3666
LEGAL SERVICES
(732) 341-2727

WARREN COUNTY:

Deputy Clerk, Superior Court
Civil Division, Court
House
413 Second Street
Belvidere, NJ 07823-
1500
LAWYER REFERRAL
(908) 859-4300
LEGAL SERVICES
(908) 475-2010

CAMDEN COUNTY:

Deputy Clerk, Superior Court
Civil Processing Office
Hall of Justice
1st Fl, Suite 150
101 South 5th Street
Camden, NJ 08103
LAWYER REFERRAL
(856) 482-0618
LEGAL SERVICES
(856) 964-2010

HUNTERDON COUNTY:

Deputy Clerk, Superior Court
Civil Division
65 Park Avenue
Flemington, NJ 08822
LAWYER REFERRAL
(908) 236-6109
LEGAL SERVICES
(908) 782-7979

PASSAIC COUNTY:

Deputy Clerk, Superior Court
Civil Division - Court House
77 Hamilton Street
Paterson, NJ 07505
LAWYER REFERRAL
(973) 278-9223
LEGAL SERVICES
(973) 523-2900

CAPE MAY COUNTY:

Deputy Clerk, Superior Court
9 N. Main Street
Cape May Court House, NJ
08210
LAWYER REFERRAL
(609) 463-0313
LEGAL SERVICES
(609) 465-3001

MERCER COUNTY:

Deputy Clerk, Superior Court
Local Filing Office, Courthouse
175 S. Broad Street
P. O. Box 8068
Trenton, NJ 08650
LAWYER REFERRAL
(609) 585-6200
LEGAL SERVICES
(609) 695-6249

SALEM COUNTY:

Deputy Clerk, Superior Court
Attn: Civil Case Management
Office
92 Market Street
Salem, NJ 08079
LAWYER REFERRAL
(856) 935-5629
LEGAL SERVICES
(856) 691-0494

CUMBERLAND COUNTY:

Deputy Clerk, Superior Court
Civil Case Management Office
60 West Broad Street
P. O. Box 10
Bridgeton, NJ 08302
LAWYER REFERRAL
(856) 696-5550
LEGAL SERVICES
(856) 691-0494

MIDDLESEX COUNTY:

Deputy Clerk, Superior Court
Middlesex Vicinage
Second Floor, Tower
56 Paterson Street
P. O. Box 2633
New Brunswick, NJ 08903-2633
LAWYER REFERRAL
(732) 828-0053
LEGAL SERVICES
(732) 249-7600

SOMERSET COUNTY:

Deputy Clerk, Superior Court
Civil Division Office
40 North Bridge Street
P. O. Box 3000
Somerville, NJ 08876
LAWYER REFERRAL
(908) 685-2323
LEGAL SERVICES
(908) 231-0840